

1 DAVID J. ZUGMAN
2 California Bar No. 190818
3 964 Fifth Avenue, Suite 300
4 San Diego, California 92101-5008
Telephone: (619) 699-5931
Facsimile: (619) 699-5932
zugman@sbcglobal.net

5 Attorney for Hector Ortega-Meneses

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8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 (HONORABLE MARILYN L. HUFF)

11 UNITED STATES OF AMERICA,) Criminal No. 08CR0444-MLH
12 Plaintiff,)
13 v.) Date: April 1, 2008
14 HECTOR ORTEGA-MENESES,) Time: 2:00 p.m.
15 Defendant.)
16) NOTICE OF MOTIONS
17) AND MOTIONS TO
18) 1) PRODUCE DISCOVERY;
19) 2) SUPPRESS EVIDENCE;
TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, and ANDREW SCHOPLER,
ASSISTANT UNITED STATES ATTORNEY
PLEASE TAKE NOTICE that Defendant, Hector Ortega-Meneses, by and
through his Counsel, David J. Zugman, files these initial Rule 12 motions
to be heard April 1, 2008, at 2:00 p.m. before the Honorable Marilyn L.
Huff.

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1 These motions are based upon the facts and law pertaining to this
2 case. Specifically Mr. Ortega-Meneses moves the Court for an order the
3 following:

- 4 1) Produce discovery;
- 5 2) Suppress Evidence;
- 6 3) Dismiss Indictment Due to Failure to Properly Allege an Offense;
- 7 4) Dismiss the Indictment Due to Misinstruction of the Grand Jury;
- 8 5) File Further Motions.

9 This motion is based upon the information received from the
10 government thus far.

11 Respectfully Submitted,

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13 Date: March 16, 2008 S/David J. Zugman
14 David J. Zugman
Attorney for Mr. Ortega-Meneses

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1 PROOF OF SERVICE

2 I, the undersigned, declare that:

3 1. I am over eighteen (18) years of age; am a resident of the
4 County of San Diego, State of California; and my business address is 964
5 Fifth Avenue, Suite 300, San Diego, California, 92101-5008.

6 2. I am effecting service of DEFENDANT'S MOTIONS on the following
7 parties by electronically filing the foregoing with the Clerk of the
8 District Court using its ECF System, which electronically notifies them:

9 Andrew Schopler, Assistant U.S. Attorney
10 Office of the U.S. Attorney
11 880 Front Street
12 San Diego, CA 92101

13 3. I hereby certify that I have mailed the foregoing, by United States
14 Postal Service to the following non-ECF participants in this case:

15 1. N/A

16 to the last known address, at which place there is delivery service of
17 mail from the United States Postal Service.

18 I declare under penalty of perjury that the foregoing is true and
19 correct.

20 Executed on March 16, 2008.

21 S/David Zugman
22 DAVID J. ZUGMAN

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